



RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/846,032

Filing Date: April 30, 2001

Title: OPTICAL AND ELECTRICAL INTERCONNECT

Assignee: Intel Corporation

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Dkt: 884.424US1

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### REMARKS

Claims 1 - 10 are now pending in the above identified patent application.

#### **§103 Rejections of the Claims**

Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stopperan (U.S. Patent 5,428,190) in view of Ovens (U.S. Patent 6,5574,0200).

Applicant does not admit that Ovens is prior art and reserves the right, as provided for under 37 C.F.R. 1.131, to "swear behind" Ovens. Applicant respectfully traverses the rejections of claims 1-10.

#### **Claims 1-10**

Claim 1 recites, "an optically transmissive unit embedded in the anisotropic conductive film." In contrast, Stopperan, in the abstract, teaches, "A multilayer rigid-flex circuit board having two or more conductive layers, with at least one rigid circuit board electrically connected to at least one flexible jumper connector or intercircuit to at least one flexible jumper connector or intercircuit connector circuit board, is disclosed." Thus, Stopperan fails to teach or suggest "an optically transmissive unit embedded in the anisotropic conductive film," as recited in claim 1.

The Office action, at page 3, paragraph 2, cites to Stopperan (reference numerals 120 and 124) to show a teaching of "an optically transmissive unit embedded in the anisotropic conductive film.". Applicant respectfully disagrees that Stopperan teaches "an optically transmissive unit embedded in the anisotropic conductive film," as recited in claim 1. Reference numeral 124, at column 17, line 21, refers to one of the "rigid circuit boards." None of the figures in Stopperan include a reference numeral 120. Thus, the Office action fails to establish that Stopperan teaches or suggests "an optically transmissive unit embedded in the anisotropic conductive film," as recited in claim 1. Hence, since Stopperan fails to teach or suggest "an optically transmissive unit embedded in the anisotropic conductive film," as recited in claim 1, Stopperan fails to teach or

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suggest each of the elements of claim 1. Thus, the Office action fails to state a *prima facie* case of obviousness with respect to claim 1. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claim 1.

Claims 2-10 are dependent on claim 1. For reasons analogous to those stated above and elements in the claims, applicant respectfully submits that the Office action fails to state a *prima facie* case of obviousness with respect to claims 2-10. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 2-10.

Claims 4-7

The office action must provide specific, objective evidence of record for a finding of a teaching, suggestion or motivation to combine reference teachings and must explain the reasoning by which the evidence is deemed to support such a finding. *In re Sang Su Lee*, 277 F.3d 1338 (Fed. Cir. 2002). The office action, in an attempt to meet this requirement, on page 4 states: "That is, the skilled worker who is pressured to have knowledge of the prior art, with these two references before him would immediately recognize the desirability of employing the optically transmissive unit by Ovens to the connecting device of Stopperan, as claimed." Applicant respectfully submits that this statement does not constitute "specific, objective evidence of record" as required under *In re Sang Su Lee*. Hence, applicant respectfully disagrees that the references provide a "teaching suggestion, or motivation to combine" that meets the standard of *In re Sang Su Lee*. Thus, the Office action fails to state a *prima facie* case of obviousness with respect to claims 4 and 5. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 4 and 5.

Claims 6 and 7 are dependent on claim 5. For reasons analogous to those stated above and elements in the claims, applicant respectfully submits that the Office action fails to state a *prima facie* case of obviousness with respect to claims 6 and 7. Therefore,

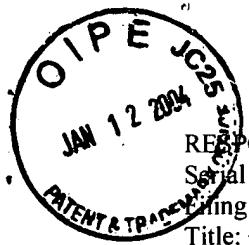
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applicant requests withdrawal of the rejections and reconsideration and allowance of claims 6 and 7.

Claims 8-10

Claim 8 recites, "an optical polymer." Claim 9 recites, "an acrylic acrylate." The Office action states that the Examiner takes official notice of these elements. Applicant respectfully objects to the taking of official notice, and pursuant to M.P.E.P. § 2144.03, applicant traverses the assertion of official notice and requests that the Examiner cite a reference that teaches the missing elements. If the Examiner cannot cite a reference that teaches the missing elements, applicant respectfully requests that the Examiner provide an affidavit describing how the missing elements are present in the prior art. If the examiner cannot cite a reference or provide an affidavit, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 8 and 9.

Claim 10 is dependent on claim 9. For reasons analogous to those stated above and elements in the claim, applicant respectfully submits that the office action fails to state a *prima facie* case of obviousness with respect to claim 9. Therefore, applicant requests withdrawal of the rejection and reconsideration and allowance of claim 9.



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## CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone applicant's attorney at 612-371-2109 to facilitate prosecution of the application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of January, 2004.

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